

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL****FOR: HEALTH CARE FINANCING ADMINISTRATION**

1. TRANSMITTAL NUMBER:

2003 — 07

2. STATE:

Florida

3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL
SECURITY ACT (MEDICAID)TO: REGIONAL ADMINISTRATOR
HEALTH CARE FINANCING ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE

January 1, 2003

5. TYPE OF PLAN MATERIAL (Check One):

☐ NEW STATE PLAN☐ AMENDMENT TO BE CONSIDERED AS NEW PLAN☒ AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION:

1902(a)(10)(A) and 1902(a)(10)(B) of the
Social Security Act

7. FEDERAL BUDGET IMPACT:

a. FFY 2003 \$ 0

b. FFY 2004 \$ 0

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT:

Attachment 2.2-A, page 23d-1
Attachment 2.6-A, pages 12d, 12e, 12f, 12g, 12h,
12n, 12o
Supplement 8a to Attachment 2.6-A, page 1 and 1a
Supplement 8b to Attachment 2.6-A, page 1 and
page 29. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION
OR ATTACHMENT (If Applicable):Attachment 2.2-A, page 23d-1
Attachment 2.6-A, pages 12d, 12e, 12f, 12g,
12h, 12n, 12o
Supplement 8a to Attachment 2.6-A, page 1, 1a
Supplement 8b to Attachment 2.6-A, page 1
and page 2

10. SUBJECT OF AMENDMENT:

Sicker to Work — Deletion of Coverage

11. GOVERNOR'S REVIEW (Check One):

- ☐
- GOVERNOR'S OFFICE REPORTED NO COMMENT
-
- ☐
- COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
-
- ☐
- NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

☒ OTHER, AS SPECIFIED:

will send when received

12. SIGNATURE OF STATE AGENCY OFFICIAL:

13. TYPED NAME:

Bob Sharpe

14. TITLE:

Deputy Secretary for Medicaid

15. DATE SUBMITTED:

3/23/03

16. RETURN TO:

Mr. Bob Sharpe
Deputy Secretary for Medicaid
Agency for Health Care Administration
2727 Mahan Drive, building 3, MS#20
Tallahassee, FL 32308
ATTN: Wendy Johnston**FOR REGIONAL OFFICE USE ONLY**

17. DATE RECEIVED:

MARCH 31, 2003

18. DATE APPROVED:

JUNE 27, 2003

PLAN APPROVED - ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL:

JANUARY 1, 2003

20. SIGNATURE OF REGIONAL OFFICIAL:

21. TYPED NAME:

Rhonda R Cottrell

22. TITLE:

Associate Regional Administrator
Division of Medicaid & Children's Health

23. REMARKS:

State/Territory: Florida

Citation

Groups Covered

B. Optional Groups Other Than the Medically Needy
(Continued)1902(a)(10)(A)
(ii)(XIII) of the Act☐

23. BBA Work Incentives Eligibility Group - Individuals with a disability whose net family income is below 250 percent of the Federal poverty level for a family of the size involved and who, except for earned income, meet all criteria for receiving benefits under the SSI program.
See page 12c of Attachment 2.6-A.

1902(a)(10)(A)
(ii)(XV) of the Act☐

24. TWWIIA Basic Coverage Group - Individuals with a disability at least 16 but less than 65 years of age whose income and resources do not exceed a standard established by the State.
See page 12d of Attachment 2.6-A.

1902(a)(10)(A)
(ii)(XVI) of the Act☐

25. TWWIIA Medical Improvement Group - Employed individuals at least 16 but less than 65 years of age with a medically approved disability whose income and resources do not exceed a standard established by the State.
See page 12h of Attachment 2.6A.

NOTE: If the State elects to cover this group, it MUST also cover the eligibility group described in No. 24 above.

TN No: 2003-07

Supersedes

TN No. 2002-01Approval Date JUN 27 2003Effective Date January 1, 2003

CMS ID:

State/Territory: Florida

Citation	Condition or Requirement
1902(a)(10)(A) (ii)(XV) of the Act	<p>(ii) <u>Working Individuals with Disabilities - Basic Coverage Group - TWWIIA</u></p> <p>In determining financial eligibility for working individuals with disabilities under this provision, the following standards and methodologies are applied:</p> <p>_____ The agency does not apply any income or resource standard.</p> <p>NOTE: If the above option is chosen, no further eligibility-related options should be elected.</p> <p>_____ The agency applies the following income and/or resource standard(s):</p> <p>Income Limit: Current Meds-AD income limit in effect</p> <p>Resource Limit: \$8,000 (individual) \$9,000 (couple)</p>

State/Territory: Florida

Citation	Condition or Requirement
1902(a)(10)(A) (ii)(XV) of the Act (cont.)	<p><u>Income Methodologies</u></p> <p>In determining whether an individual meets the income standard described above, the agency uses the following methodologies:</p> <p>_____ The income methodologies of the SSI program.</p> <p>_____ The agency uses methodologies for treatment of income that are more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 4 to Attachment 2.6 – A.</p> <p>_____ The agency uses more liberal income methodologies than the SSI program. More liberal income methodologies are described in Supplement 8a to Attachment 2.6-A.</p>

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State/Territory: Florida

Citation	Condition or Requirement
1902(a)(10)(A) (ii)(XV) of the Act (cont.)	<p><u>Resource Methodologies</u></p> <p>In determining whether the individual meets the resource standard described above, the agency uses the following methodologies:</p> <p>Unless one of the following items is checked, the agency, under the authority of 1902(r)(2) of the Act, disregards all funds held in retirement funds and accounts, including private retirement accounts such as IRAs and other individual accounts, and employer-sponsored retirement plans such as 401(k) plans, Keogh plans, and employer pension plans. Any disregard involving retirement accounts is separately described in Supplement 8b to Attachment 2.6-A.</p> <p>_____ The agency disregards funds held in employer-sponsored retirement plans, but not private retirement plans.</p> <p>_____ The agency disregards funds in retirement accounts in a manner other than those described above. The agency's disregards are specified in Supplement 8b to Attachment 2.6-A.</p>
TN No: <u>2003-07</u> Supersedes TN No. <u>2002-01</u>	Approval Date <u>JUN 27 2003</u> Effective Date <u>January 1, 2003</u> CMS ID:

Revision:

ATTACHMENT 2.6-A

Page 12g

OMB No.:

State/Territory: Florida

Citation	Condition or Requirement
1902(a)(10)(A) (ii)(XV) of the Act (cont.)	<p>_____ The agency does not disregard funds in retirement accounts.</p> <p>_____ The agency uses resource methodologies in addition to any indicated above that are more liberal than those used by the SSI program. More liberal resource methodologies are described in Supplement 8b to Attachment 2.6-A.</p> <p>_____ The agency uses the resource methodologies of the SSI Program.</p> <p>_____ The agency uses methodologies for treatment of resources that are more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 5 to Attachment 2.6-A.</p>

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ATTACHMENT 2.6-A

Page 12m

OMB No.:

State/Territory: Florida

Citation

Condition or Requirement

1902(a)(10)(A)(ii)(XIII)
(XV), (XVI), and 1916(g)
of the Act

Payment of Premiums or Other Cost Sharing Charges

For individuals eligible under the BBA eligibility group
described in No. 23 on page 23d of Attachment 2.2-A:

_____ The agency requires payment of premiums or
other cost-sharing charges on a sliding scale
based on income. The premiums or other
cost-sharing charges, and how they are
applied are described below:

TN No. 2003-07
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TN No. 2002-01

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2003

Revision:

ATTACHMENT 2.6-A

Page 12n

OMB No.:

State/Territory: Florida

Citation	Condition or Requirement
1902(a)(10)(A)(ii) (XIII), (XV), (XVI), and 1916(g) of the Act (cont.)	<p>For individuals eligible under the Basic Coverage Group described in No. 24 on page 23d of Attachment 2.2-A, and the Medical Improvement Group described in No. 25 on page 23d of Attachment 2.2-A:</p> <p>NOTE: Regardless of the option selected below, the agency MUST require that individuals whose annual adjusted gross income, as defined under IRS statute, exceeds \$75,000 pay 100 percent of premiums.</p> <p>_____ The agency requires individuals to pay premiums or other cost-sharing charges on a sliding scale based on income. For individuals with net annual income below 450 percent of the Federal poverty level for a family of the size involved, the amount of premiums cannot exceed 7.5 percent of the individual's income.</p> <p>The premiums or other cost-sharing charges, and how they are applied are described on page 12o.</p>

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Revision:

ATTACHMENT 2.6-A

Page 12o

OMB No.:

State/Territory: Florida

Citation	Condition or Requirement
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Sections 1902(a)(10)(A)
(ii)(XV), (XVI), and 1916(g)
of the Act (cont.)

Premiums and Other Cost-Sharing Charges

For the Basic Coverage Group and the Medical Improvement Group, the agency's premium and other cost-sharing charges, and how they are applied, are described below.

TN No. 2003-07
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CMS ID:

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
State: FLORIDA

MORE LIBERAL METHODS OF TREATING INCOME
UNDER SECTION 1902(r)(2) OF THE ACT*

☐ Section 1902(f) State

☒ Non-Section 1902(f) State

Coverage Groups

1902(a)(10)(E) and
and 1902(m) of the Act
1902(a)(10)(A)(ii)(XV)

When income is received more often than once per month (weekly, biweekly), the monthly income from that source will be computed by first determining the weekly income amount and then multiplying that amount by 4. We will not treat 4 week months any differently than 5 week months.

The anticipated weekly income for fluctuating income will be projected at the time of application by using the most recent six weeks of income (or less, if appropriate). After that, it will be recomputed every six months or when the client reports a change.

In the event an individual would be denied or terminated by the use of this methodology, actual income (if less), will be used.

In-kind support and maintenance (ISM) is not considered in determining income eligibility.

42 CFR 435.308 (as
specified in the
State Plan)

When determining the eligibility of a pregnant woman, a child, a disabled, blind or aged person, an additional \$270.00 will be deducted from the countable income of the filing unit. (Note that disregard does not apply when determining the eligibility of the caretaker relative.)

42 CFR 435.320
42 CFR 435.322
42 CFR 435.324
42 CFR 425.301 (b)(1)(i)
and (ii)

*More liberal methods may not result in exceeding gross income limitations under § 1903(f).

State Plan Under Title XIX of the Social Security Act

State: FLORIDA

LESS RESTRICTIVE METHODS OF TREATING INCOME
UNDER SECTION 1902(r)(2) OF THE ACT

- X For all eligibility groups not subject to the limitations on payment explained in section 1903(f) of the Act*: All wages paid by the Census Bureau for temporary employment related to Census 2000 activities are excluded.
- X For infants described in 1902(l)(1)(B), all family income between 185% and 200% of the federal poverty level is disregarded as revised annually in the federal register.

*Less restrictive methods may not result in exceeding gross income limitations under § 1903(f).

Coverage Groups

1902(a)(10)(A)(ii)(XV)
of the Act

Countable earned income up to 250% of the federal poverty level is disregarded as revised annually in the federal register.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: FLORIDA

MORE LIBERAL METHODS OF TREATING RESOURCES
UNDER SECTION 1902(r)(2) OF THE ACT

<u>/_/_</u> Section 1902(f) State	<u>/X /</u> Non-Section 1902(f) State
<u>Coverage Groups</u>	
435.211	The methodologies of the SSI program regarding availability
435.231	of resources are used except when the applicant or recipient
435.320	is comatose and there is no known legal guardian or other
435.322	individual who can access and expend the applicant's/
435.324	recipient's resources. In such circumstances, the resources
1902(a)(10)	are considered not available until such time as legal
(A)(ii)(XV)	guardianship is established.
of the Act	
1902(a)	If resources are below the applicable standard at any time
(10)(E)	during the month, the individual is eligible on the factor
and 1902(m)	of resources for that month.
of the Act	
Hospice	The value of a life estate interest in real property is excluded.
435.217	
1902(a)	One automobile per household is excluded regardless of value.
(10)(A)(ii)	
(XV)	
	The methodologies used in the SSI program in the determination of amounts
	set aside for burial shall be used except the total amount that may be
	excluded shall not exceed \$2,500.
	The methodologies used in the SSI program in the determination of amounts
	set aside for burial shall be used with the following exceptions:
	<ul style="list-style-type: none">- Up to \$2500 of assets may be excluded if designated as burial funds.- Any asset may be designated as a burial fund (as defined by SSI prior to August 1, 1990) and excluded from countable resources (within the prescribed limit).- Burial funds must be kept separate from, and not commingled with, non-burial assets unless the asset cannot be separated (e.g. car or livestock) or it is unreasonable to require it. Burial fund accounts for prior months may be commingled with non-burial funds.- Assets may be designated as burial funds for any month including the three months prior to the month of application.
	An additional \$1,000 general disregard exclusion of resources is given for Qualified Medicare Beneficiaries.
	Any income producing real or personal property may be excluded from assets if it produces income consistent with its fair market value.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
State: FLORIDA

MORE LIBERAL METHODOLOGIES OF TREATING RESOURCES
UNDER SECTION 1902(r)(2) OF THE ACT

☐ Section 1902(f) State

☒ Non-Section 1902(f) State

Coverage Groups

1902(a)(10)(E)(iv)(I)
and 1905(p) of the Act

The state allows an additional \$1,000
general disregard of resources for
Qualified Individual-1 (QI-1) and
Qualified Individual-2 (QI-2).

1902(a)(10)(E)(iv)(II)
and 1905(p) of the Act

435.116
1902(a)(10)(A)(i)(III)
1902(a)(10)(A)(i)(IV)
1902(a)(10)(A)(i)(VI)
1902(a)(10)(A)(i)(VII)
1902(a)(10)(A)(ii)
of the Act

Pursuant to 42 CFR 435.601(d) and
(f)(2), the value of property which
exceeds the \$2,000 asset limit may be
excluded if the applicant or recipient
provides evidence of good faith effort
to sell the property.

435.200-.236
1902(a)(10)(A)(ii)(XV)

Proceeds from the sale of the property
will be countable resources to the
individual unless the individual plans
to use them to buy an excluded home
within three calendar months of
receiving them.

1902(a)(10)(A)(ii)(XV)
of the Act

Exclude a second vehicle for a couple;
disregard any retirement account
recognized by the Internal Revenue
Service.

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